

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

WILLIAM P. JACKSON,)	
)	
Petitioner,)	
)	2:05cv1028
v.)	Electronic Filing
)	
FRANK D. GILLIS, and THE)	Judge Cercone
DISTRICT ATTORNEY OF THE)	Magistrate Judge Caiazza
COUNTY OF ALLEGHENY, and)	
THE ATTORNEY GENERAL OF THE)	
COMMONWEALTH OF PENNSYLVANIA,)	
)	
Respondents.)	

MEMORANDUM ORDER

William P. Jackson's Petition for Writ of Habeas Corpus was received by the Clerk of Court on July 27, 2005, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on March 24, 2006, recommended that the Petition for Writ of Habeas Corpus filed by William P. Jackson be dismissed without prejudice and that a certificate of appealability be denied.

The parties were allowed ten days from the date of service to file objections. Service was made on the Petitioner by First Class United States Mail delivered to the State Correctional Institution at Coal, Coal Township, Pennsylvania, where he is

incarcerated and on the Defendant. No objections have been filed.

After review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 27th day of April, 2006,

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus filed by William P. Jackson is dismissed without prejudice and that a certificate of appealability is denied.

The Report and Recommendation of Magistrate Judge Caiazza, (Document No. 24), dated March 24, 2006, is adopted as the opinion of the court.



David Stewart Cercone
United States District Judge

Dated: 4-27-06

cc: William P. Jackson, FN-6112
SCI Coal Township
1 Kelley Drive
Coal Township, PA 17866

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